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Tuesday, 17 February 2009, 3 p.m.

New York

President:	Mr. Takasu	(Japan)
Members:	Austria	Mr. Mayr-Harting
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. La Yifan
	Costa Rica	Mr. Urbina
	Croatia	Mr. Skračić
	France	Mr. Ripert
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Shcherbak
	Turkey	Mr. İlkin
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Ms. Rice
	Viet Nam	Mr. Hoang Chi Trung

Agenda

The situation concerning the Democratic Republic of the Congo

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09-23954 (E)

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

The President: In accordance with the understanding reached in the Council's prior consultations, I invite Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, under rule 39 of the Council's provisional rules of procedure.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator. I now give him the floor.

Mr. Holmes: Thank you, Mr. President, for this opportunity to brief the Council on the humanitarian situation in the eastern and northern provinces of the Democratic Republic of the Congo.

As the Council is well aware, the last six months saw deteriorating stability in several areas; renewed fighting between various rebel groups, principally the Congrès national pour la défense du people (CNDP) and the Forces armées de la République démocratique du Congo (FARDC) in the Kivus; the resurgence of armed groups and subsequent clashes with FARDC in Ituri district; and new vicious attacks by the Lord's Resistance Army (LRA) in Province Orientale. Those worrying developments left many hundreds dead, provoked the displacement of a further half-million people and worsened the already dire humanitarian situation, although humanitarian needs in the Democratic Republic of the Congo are, sadly, not limited to areas affected by conflict.

My visit last week came as the Government and the international community were pursuing new political and military initiatives to address long-standing and fundamental concerns that have major potential humanitarian implications. In the East, while the mediation jointly led by President Obasanjo, the Secretary-General's Special Envoy on the Great Lakes Region, and President Mkapa from the African Union continues, the Governments of the Democratic Republic of the Congo and Rwanda are carrying out joint operations against the ex-génocidaires of the Forces démocratiques de libération du Rwanda (FDLR) in North Kivu, and CNDP elements are being integrated into the Congolese armed forces following the arrest of Laurent Nkunda in Rwanda. Those initiatives have created a new dynamic that could have a significant and favourable impact, including on the humanitarian situation, but that also brings with it significant risks.

North and South Kivu will be most affected one way or the other. In North Kivu, I met displaced people in camps near Goma who had been caught in the crossfire between the CNDP and the FARDC. These were some of the 250,000 people newly displaced by that conflict since August 2008, adding to the long-standing North Kivu caseload of more than 800,000.

Those displaced people, living both in camps and with host populations, often continue to face miserable conditions despite an active and effective humanitarian response in difficult and dangerous circumstances. The quality of the services provided to them tends to decrease the further they are located from Goma, owing to security and capacity problems. While tens of thousands had already returned home in areas where their relations with the CNDP were friendly, others driven out by the CNDP are still waiting. Those I met in the Kibati camp near Goma are keen to go home as soon as possible — not least because the planting season is already under way — but serious concerns still prevent them from doing so. Their memories of the CNDP offensive are fresh, and while the campaign to integrate CNDP military cadres into the Congolese armed forces is making progress, the CNDP still maintains parallel administrative structures and a military presence in many villages.

Perceptions of insecurity have been heightened in some areas by the current offensive against the FDLR ex-génocidaires. And, sadly, the presence of the FARDC in some areas is far from always seen as reassuring, given their own dreadful indiscipline and violence during the CNDP offensive. Moreover, those internally displaced persons with whom I spoke made clear that they have nothing left. Their houses and fields have been looted and burned or taken over by someone else; such infrastructure as there was has been destroyed, and their personal possessions have been

taken. They will need substantial support from the international community if they are to return voluntarily in safety and dignity. We are working to put in place appropriate return packages.

My most recent visit to the Democratic Republic of the Congo, in September 2007, focused on gender-based violence and on how the United Nations and the international community could fight the scourge of rape in eastern Democratic Republic of the Congo. Unfortunately, I cannot say that the situation has improved since. Women I met at the Heal Africa hospital in Goma and in the camps bore disturbing and eloquent witness to the fact that little has changed.

Sexual violence, particularly by those with guns, continues to be a horrific feature of everyday life. Impunity remains the fundamental issue. Lack of capacity means that, even if perpetrators of sexual violence can be arrested and convicted, there is often nowhere to keep them. In that context, I raised with the Government, from the President downwards, the issue of the continued presence of known perpetrators of sexual violence in the senior ranks of the armed forces of the Democratic Republic of the Congo and stressed that that sends absolutely the wrong signal to all concerned. I hope that appropriate action will be taken soon.

Nevertheless, there have been some positive moves. I had the sense that public opinion in the Democratic Republic of the Congo itself may be shifting, thanks largely to the efforts of Congolese civil society and Congolese women themselves, including the President's wife, Mrs. Kabila. For the United Nations, a senior adviser on sexual violence has helped develop a system-wide strategy to strengthen prevention, protection and response with regard to sexual violence. I hope that all donors will align their programmes and activities with the strategy, including much stronger efforts to establish the rule of law through a functioning judicial system, vigorous security sector reform and extension of State authority, and better medical, psychosocial and social reintegration support for the victims. Meanwhile, it is vital that the Government itself continue to regard this as a major priority and make clear publicly and frequently that sexual violence is completely unacceptable in Congolese society.

At this stage, it is hard to be sure of the overall final effect of the continuing combined Rwandan Defence Force/FARDC offensive against the FDLR ex-génocidaires. I added my voice to those — including the leadership of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) — who have stressed the importance of reducing the risks of the offensive for the civilian population by ensuring strict compliance with international humanitarian and human rights law and by giving top priority to the protection of civilians.

In particular, there are hostage populations in the areas concerned who are acutely vulnerable to any abuse or reprisals from the FDLR. So far, our worst fears do not seem to have been realized, either in terms of displacement or in terms of atrocities, but reports at the end of last week, including from Human Rights Watch, painted a disturbing picture of revenge attacks on civilians by the FDLR already beginning. As the operation officially draws to an end, MONUC — already present in numerous key locations — will have a vital role with the FARDC in helping to fill any security vacuum and in preventing FDLR militants from returning to areas they previously occupied and exacting a terrible price from civilians.

There are positive signs, too. At a Goma transit centre run by the Office of the United Nations High Commissioner for Refugees (UNHCR), I spoke to young Rwandan refugees, men and women, who had been in the Democratic Republic of the Congo since 1994 and had now decided to return home. During the past month, there has been a significant increase in the number of refugees transiting the centre. The numbers of Rwandan civilians who voluntarily repatriated under the auspices of UNHCR from 1 January to 16 February reached 2,902 — 883 from North Kivu and 2,019 from South Kivu.

Meanwhile, the number of FDLR combatants presenting themselves for MONUC's disarmament, demobilization, reintegration and resettlement or repatriation programme is equally on the rise, having already reached 376, plus 655 dependents, for a total of 1,031, with several hundred more candidates waiting to be screened. Those numbers are striking when compared with the 1,103 total FDLR repatriations and 7,992 civilian repatriations in the entire year of 2008. I hope those developments signify that the running sore of the FDLR presence can now be significantly reduced, if not removed altogether. But robust and comprehensive political solutions will also continue to be needed on both sides of the border.

I also went to the Haut-Uélé district of Orientale Province, where the Ugandan People's Defence Force (UPDF) and the FARDC are carrying out joint military operations against the Lord's Resistance Army. The LRA have reacted by carrying out horrific and unprovoked attacks against the local civilian population. In Doruma, I met those displaced by some of these attacks. I was shaken by their accounts and their obvious anger and trauma. The so-called Christmas massacres triggered a wave of displacement from at least 22 villages around Doruma, tripling the population from its normal 6,000 to 18,000. There have been similar attacks elsewhere, including around Faradje. The casual brutality, the total disregard for human life and the treatment of women and children in particular are appalling even for those used to the depredations of the LRA in so many places in the last 20 years. The number of deaths since December 2008 is believed to approach 900, with many victims hacked to death with machetes or bludgeoned by clubs. Many women have been raped before being killed. One hundred sixty thousand people altogether are estimated to have fled their homes. Moreover, according to UNHCR, in Southern Sudan's Western Equatoria State, the registered population of Congolese refugees who fled LRA attacks in the Dungu area in January has surpassed 9,000, in addition to the thousands of Sudanese themselves already internally displaced for the same reason.

United Nations agencies and partners are working as rapidly as possible with the central and local authorities, the military forces in the area and MONUC to expand humanitarian assistance and step up efforts to protect the local population. These efforts are constrained by the huge 40,000 square kilometre area where the LRA are hiding, their dispersal into several groups, the difficult terrain and isolated location, the chronic lack of infrastructure and the threat still posed by the LRA, including on the major roads.

No one doubts the urgent need to remove the LRA threat, one way or another. Their surrender would be the best way. Meanwhile, in meetings with the local commanders of the FARDC and the UPDF, I emphasized the importance of placing the protection of civilians at the centre of their planning as the military operations continue, and of better communication among all concerned about the risks to civilians and to humanitarians. I also discussed with MONUC locally and in Kinshasa what more might be done to strengthen its presence in the area to help to protect civilians and to support humanitarian assistance, following their help for the reinstallation of the humanitarian community in the main local town of Dungu. MONUC, with the FARDC, is already expanding escorts for humanitarian convoys as needed and requested. The mission will seek to deploy extra troops from elsewhere in the country, including in a few of the key towns like Doruma and Faradje, and will work to improve some of the roads to help with logistics. MONUC is also urgently looking to acquire more utility helicopters to cover this wide area, in support of the FARDC, where the LRA groups have dispersed.

Let me take this opportunity to comment more generally on the work of MONUC from a humanitarian's perspective. The last few months have been especially challenging for them, and the revised mandate from the Council is provoking positive reconsideration of how MONUC can use its limited resources to the best effect in this immense and complicated country in order to help protect civilians. This is never going to be an easy task, and we should beware of arousing expectations that cannot be met and of unhelpful criticism that takes no account of the real problems and limitations. Units which have been trained for conventional warfare, static defence or patrolling of ceasefire lines, and military structures designed accordingly, cannot convert themselves overnight into the kind of highly mobile and flexible operations, with good local intelligence, contacts and skills, that would be ideal.

Nevertheless the civilian and military leadership of MONUC are well into a far-reaching review of operating guidelines, deployments and training. Newly formed joint protection teams, deployed in locations where access is difficult, are already making a difference in anticipating and understanding threats to civilians and in helping the military to interact with the population and better understand their protection needs. I would urge the Security Council and troop-contributing countries to give their fullest support to these changes, and troop-contributing countries in particular to allow maximum flexibility in operating procedures and rules of engagement. I am also convinced that the two additional battalions, together with the two companies of special forces, two engineering companies, extra air assets, and the information analysis capability recently authorized by

the Council remain badly and urgently needed to enable MONUC to carry out its testing mandate.

I was able to raise many of these points in Kinshasa with President Kabila, Prime Minister Muzito and Minister of Foreign Affairs Mwamba. We discussed in particular the prospects of the current initiatives producing lasting improvements in the political, security and humanitarian situation in the east and the north. I emphasized to them the importance of doing everything possible to protect civilians, including tackling sexual violence, to address impunity and, especially, to improve the discipline of the FARDC. They agreed, while stressing the need in their eyes to prioritize a rapid return to peace and stability in the short term. I pointed out that there should be no inconsistency between the two imperatives of peace and justice.

Continuing and improved humanitarian assistance remains essential to relieve the suffering in the Kivus and in Orientale province but is not enough to enable the people there to rebuild their lives on a durable basis. The authority and capacity of the central and local authorities have to be rebuilt at every level. The international community can help to achieve this, as it has been doing, including through the comprehensive stabilization strategy now being pursued by MONUC together with the United Nations and donor partners. But the Government must also effectively face up to its responsibilities in this respect.

In conclusion, let me return to the point that humanitarian needs are substantial throughout the Democratic Republic of the Congo, including the western provinces, and not only in the conflict areas. Seventy-six per cent of the population are undernourished and chronically subject to food insecurity. Fifty-four per cent have no access to clean water. Endemic diseases like malaria, cholera, plague and the Ebola virus further weaken already vulnerable people. The 2009 Humanitarian Action Plan estimates that some $831 million is needed to cover humanitarian needs, an increase of 11 per cent from last year. So this is no time to turn our eyes away from the Democratic Republic.

As on my first visit, I was impressed by the quality and dedication of many of the officials I met, from district level upwards. If the Government can establish proper control over the country's natural riches and provide support and resources to its administration, the Democratic Republic of the Congo can have a bright future, despite the huge and multiple challenges.

The President: I thank Under-Secretary-General John Holmes for his very useful briefing.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 3.30 p.m.